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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/607,928	06/27/2003	Justine E. Coates	MSFT120218	8690

26389 7590 08/29/2006

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EXAMINER

TRAN, HENRY N

ART UNIT PAPER NUMBER

2629

DATE MAILED: 08/29/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action Before the Filing of an Appeal Brief	Application No. 10/607,928	Applicant(s) COATES ET AL.	
	Examiner Henry N. Tran	Art Unit 2629	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 04 August 2006 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:
- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
- b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.
- Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☒ The Notice of Appeal was filed on 04 August 2006. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
- (a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
- (b) ☐ They raise the issue of new matter (see NOTE below);
- (c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
- (d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

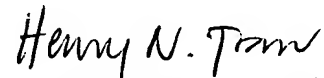
4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☐ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
- The status of the claim(s) is (or will be) as follows:
- Claim(s) allowed: _____.
- Claim(s) objected to: _____.
- Claim(s) rejected: _____.
- Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s). _____
13. ☐ Other: _____.


 Henry N. Tran
 Primary Examiner
 Art Unit: 2629

8/24/06

Continuation of 11. does NOT place the application in condition for allowance because: of the rejection recited in the final Office action mailed 7/7/06.

Applicants' arguments filed 8/4/06 have been fully considered but they are not persuasive because of the following reasons:

(i) Applicants argued that the Trell patent does not teach the step (c) of the claim 1: "if the detected key actuation was created by the actuation of one key chosen from a group of "1", "2", "3", "4", "5", "6", "7", "8", "9", "*", "0", and "#", entering the item associated with the one key that is respectively chosen from a group of "g", "b", "e", "i", "k", "n", "q", "u", "x", "s", all caps mode, and backspace function". The examiner respectfully disagrees because Trell clearly teach said claimed step as recited in item 5, page 3 of the final Office action; specifically, Trell, Fig. 2, shows the claimed step: the actuation of one key chosen from the group of "1", "2", "3", etc; one letter is respectively entered from a group of "a", "d", "g", etc. which means: actuation key "1", enter letter "a"; and that satisfies the claimed step.

It's noted that the claimed language of: "actuation of one key chosen from the group of "1", "2", "3", "4", "5", "6", "7", "8", "9", "*", "0", and "#", entering the item associated with the one key that is respectively chosen from a group of "g", "b", "e", "i", "k", "n", "q", "u", "x", "s", all caps mode, and backspace function", requires: one of the plurality of elements, for example, the element that comprise: actuation key "1", entering the item letter "a"; and Trell patent does teach that step as particularly pointed above.

It's further noted that the claimed phrases: "actuation of one key chosen from the group of" and "entering the item associated with the one key that is respectively chosen from a group of" of said above claim language does not require to satisfy all the elements.

(ii) Applicants further argued that the Kandogan et al reference couldn't combine with the Trell reference because the combination couldn't provide the claimed elements including the backspace function.

The examiner respectfully disagrees because the Office action does not reply upon the combination of the references for the claimed elements "the backspace function"; In fact, Trell teaches the keypad 1 adapted for use in Sweden; therefore not all of the letters are English language letters. However, Trell further teaches that any other country language could be used; Kandogan reference is utilized for combining with Trell reference for the teaching of using English language letters, see item 7, pages 4-5 of the final Office action.

The rejections of claims 1-25 are therefore maintained.

HT
8/24/06

